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•	Application No.	Applicant(s)	
Notice of Allowability	09/674,764	FOLESTAD ET AL.	
	Examiner	Art Unit	
	Stephone B. Allen	2878	
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS nerewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT F of the Office or upon petition by the applicant. See 37 CFR 1.31	S (OR REMAINS) CLOSED in i) or other appropriate commu RIGHTS. This application is se	this application. If not includ- nication will be mailed in due	ed course. <b>THIS</b>
<ol> <li>1.</li></ol>	er.	ır (f).	
a) 🛛 All b) 🗌 Some* c) 🗌 None of the:			
<ol> <li>Certified copies of the priority documents have</li> </ol>			
<ol><li>Certified copies of the priority documents have</li></ol>	• •	<del></del>	
<ol><li>Copies of the certified copies of the priority de</li></ol>	ocuments have been received	in this national stage applica	tion from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received:  5. Acknowledgment is made of a claim for domestic priority or reference was included in the first sentence of the specific	under 35 U.S.C. § 119(e) (to a cation or in an Application Data	provisional application) since a Sheet. 37 CFR 1.78.	e a specific
(a) The translation of the foreign language provisional	application has been received	<b>l.</b>	
<ol> <li>Acknowledgment is made of a claim for domestic priority to in the first sentence of the specification or in an Application</li> </ol>		r 121 since a specific referen	ce was included
Applicant has THREE MONTHS FROM THE "MAILING DATE" of colons. Failure to timely comply will result in ABANDONMENT of			
<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be subn INFORMAL PATENT APPLICATION (PTO-152) which given</li> </ol>			OTICE OF
<ol> <li>CORRECTED DRAWINGS (as "replacement sheets") mu         (a)  including changes required by the Notice of Draftsper         1)  hereto or 2)  to Paper No</li> </ol>		( PTO-948) attached	
(b)   including changes required by the proposed drawing Examiner.	correction filed <u>12 November</u>	2003, which has been appro	oved by the
(c) ☐ including changes required by the attached Examiner	's Amendment / Comment or	in the Office action of Paper I	No
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in	1.84(c)) should be written on the the margin according to 37 CFF	e drawings in the front (not the R 1.121(d).	e back) of
9. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT FOR	osit of BIOLOGICAL MATE THE DEPOSIT OF BIOLOGIC	RIAL must be submitted. I CAL MATERIAL.	Note the
Attachment(s)			
1☐ Notice of References Cited (PTO-892)	5☐ Notice of Info	rmal Patent Application (PTO	-152)
2☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	6∏ Interview Sun	nmary (PTO-413), Paper No.	·
BIX Information Disclosure Statements (PTO-1449 or PTO/SB/0	8), 7 Examiner's Ar	mendment/Comment	
Paper No  Lipid Examiner's Comment Regarding Requirement for Deposit of Biological Material	•	satement of Reasons for Allov Stephone B. Allen	vance UL
		Priṁary Examiner Art Unit: 2878	

- Application/Control Number: 09/674,764

Art Unit: 2878

## **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art fails to disclose, either singly or in combination, a method or apparatus for quantitative analysis of a turbid, pharmaceutical sample comprising an excitation beam and means for detecting the intensity of emitted radiation comprised of transmitted and reflected radiation from the sample as a function of both the wavelength of the emitted radiation and the photon propagation time through the sample.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephone B. Allen whose telephone number is (703) 308-4828. The examiner can normally be reached on Mon-Thurs from 0900-1700. Effective January 21, 2004, examiner may be reached at (571) 272-2434.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (703) 308-4852. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Art Unit: 2878

Stephone B. Allen Primary Examiner Art Unit 2878

sba